

HEARING OFFICERS/ADMINISTRATIVE LAW JUDGES

Sec. 80. The Commission, at its discretion, may delegate an appeal to be heard by a hearing officer/administrative law judge. Appeals for disability retirement for safety personnel shall be conducted only by an Administrative Law Judge, including those disability retirement appeals heard by the Civil Service Commission. When so delegated, the hearing officer/administrative law judge shall be vested with the same powers resting in the Commission with respect to the scheduling and conduct of hearings, except that the decision of the hearing officer/administrative law judge shall not be binding, but shall be considered a recommendation to the Commission. The recommendation of the hearing officer/administrative law judge shall be presented to the Commission in a written report, in a format specified by the Commission. The Commission shall have the power to adopt, modify, or reject the recommendation of the hearing officer/administrative law judge. The Commission shall also have the power to order all or part of a hearing to be reheard by the same or another hearing officer/administrative law judge, or the Commission may hear the appeal itself anew. Notice of the Commission's consideration of the Hearing Officer's Report/Administrative Law Judge Report shall be sent to the concerned parties and either party may request the Commission to consider final arguments

in the matter; however, neither party shall be required to do so as a requirement of exhausting its administrative remedies. Rev. July 20, 1993